



LEGISLATIVE TEXT

Conxita Marsol defends that there is no construction moratorium

|| The consul major of the capital also points out that the law does not encroach on communal powers

|| The corporation is «aware and motivated» to apply new energy saving measures

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This is not a moratorium on construction and no competences are invaded. These are the conclusions of the Consul Major of Andorra la Vella, Conxita Marsol, regarding the Law to promote the sustainability of urban development and tourism and to amend the General Law of Territorial Planning and Urban Planning, and of the General Law on tourist accommodation approved on Wednesday by the General Council. «It's not a moratorium, it's a suspension of a month or a month and a half», said the consul of the capital, stressing that «projects can continue to be presented».

«Some measure had to be taken», pointed out Marsol, who emphasized that while on the one hand it is positive that construction has work, on the other hand it is necessary to «preserve the country» and certain elements, such as the water. «We don't think that construction should be slowed down, but we have to go more orderly», emphasized the consul major, who recalled that in this month or month and a half the ordinances will be set to establish how the municipalities will have to do the studies of each parish's burden to «see how far we can evolve».

Marsol emphasized, once again, the fact that in Andorra la Vella, since 1984 it has been defined that the part of Santa Coloma is a kind of extension. Thus, she recalled that there must be a separation between buildings of six meters and that plots cannot be 100% occupied. In any case, she stated that with the load study «we will specify more», and he believes that it is «a good way to do it».

Regarding the possible invasion of powers, she emphasized that for



MARICEL BLANCH

► File image of a construction worker working on a construction site.



Conxita Marsol

CONSUL MAJOR OF ANDORRA LA VELLA



«We don't think that construction should slow down, but we have to go more orderly. Some measure had to be taken»

her, personally, it does not exist, since what the Government does is to modify the law, and the municipality is subject to this law. Thus, she recalled that corporations have the competences in urban planning, but they are subject to the general law on territorial planning. Something different would be, she opined, if the Executive had made changes through a regulation. In any case, she said that «if someone considers» that there is such an invasion, they can go to the courts, which will be

ally, he explained that the municipality continues to search for spaces, but he celebrated that there is this possibility, since «between all» you can find some land. In fact, he stated that the fact that private individuals can propose spaces is a positive thing, since some may emerge that the municipal people have not thought of. Finally, he recalled that these will be temporary landfills while the one in Maià remains closed during the winter, as reported by the ANA. ≡

the ones «to decide».

ENERGY SAVING // In another vein and questioned about the meeting with the Government to agree on energy saving measures during the inauguration of Emma Regada's sculpture "Jo en tu", Marsol stated that it was a meeting that it was very well, and that from the municipal corporation they are «aware and motivated» in the application of measures that can reduce «at least» energy consumption by 15%. In this sense, she recalled that the parish already has 90% of LED lighting and that many of the buildings also have this type of light. She also influenced the fact that the Serradells is connected to the FEDA heat network and that the Congress Center will soon be connected to it as well. In addition, she added that the message has been passed on to the workers about the air conditioning. «We will continue to make efforts at all levels», she concluded.

Lastly, and regarding the fact that the Executive has called a competition to find private spaces where to dump land provisionally,

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NATURAL ENVIRONMENT

Discomfort among waste managers due to the slowness of the bureaucratic process

Andorra generates 138,000 tons of waste per year, 20% of which is used for energy production.

EL PERIÒDIC
ANDORRA LA VELLA
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The Waste Managers Association of Andorra (Agreda) states that there is «unease and discomfort» in the sector due to the slowness of the cross-border bureaucratic procedure with the Spanish government. Although all waste generated in the Principality is sent to Catalonia, these must receive prior approval from the competent ministries of both countries to complete the treatment procedure. In this sense, the president of Agreda, Francesc Zamora, as he explained to EL PERIÒDIC, «the sector needs a speeding up of the process of material export guides, since there are occasions when the delay time is increases three months beyond the normal».

This is a fact that impairs the speed of waste extraction and transport and causes saturation in the process line, from the time the product is collected until it reaches the treatment plant. «We recognize that this situation is due to a lack of administrative staff», assured Zamora. This is why Agreda adopted a new dynamic of anticipation in the communication process of waste transport data to public administrations a few months ago, with the aim of «stre-

amlining bureaucratic work, although the main responsibility lies with the government services».

With regard to the data controlled by Agreda, of the approximate amount of 138,000 tons of waste per year produced in the Principality, - not including the movement of soil and stones, which go to national landfills -, in around 20% of the total is used for energy generation. «The breakdown of the 2021 activity shows us that more than 30,000 tons of waste were sent to the transformation plants for their energy use», explained Zamora. In addition, half of the previous figure, around 15,000 tons, fulfill the process of recycling and subsequent reuse, while a small part of the total (556 tons) is eliminated completely.

Entering the typology of waste, since 2017 the number of plastic bags distributed to shops in the Principality has been reduced by three million units, which «demonstrates a growing trend for the reduction of plastic and a business awareness in this regard» Zamora emphasized. In the same way, the percentage variation of all the waste that is collected in the country by the ten companies that operate in Andorra, has been negative in the course of the last year, except in the management of the packaging of light plastic in which



►► The waste incineration plant of the Andorra Waste Treatment Center (Ctrasa) in La Comella.

there was a discrete increase. In contrast to the general trend of conventional waste, the collection of toxic substances, such as fluorescents,

has almost doubled, from 241 kg in 2017 to 467 kg in 2021.

Continuing with the point of stubborn waste, Zamora stated that,

within this group, elements such as asbestos, lead or oils are included. «The management of these resources involves a more expensive process for the companies and the treatment plants, because a small amount is collected and requires a more personalized incidence», giving of course its highly harmful effect, both in the biosphere and in the field of public health. An added complication for the management of these substances is the existence of only one center in Catalonia located in Castellolí, in the county of Anoia, while hospital waste can only go to the Constantí plant (Tarragonès).

However, Zamora pointed out that the processes of the new plants managed by the Waste Agency of Catalonia (ARC) «have optimized the cremation processes in a big way». On the one hand, the process of selection and separation «has improved exponentially over the years», while the burning part of the plants has led to a «level system» in which a journey is carried out divided into three phases «with an efficient treatment of the injured». Finally, Agreda emphasized the importance of maintaining the investments of the Waste Treatment Center (CTR) «because it needs a lot of qualified staff». ≡

TOWN PLANNING

Impact of the approved measures on the granting of new planning licenses

EL PERIÒDIC
ESCALDES-ENGORDANY

Last Monday, the Draft Law amending the General Law on Territorial Planning and Town Planning entered the parliamentary process. This project has been processed by the legislative procedure of extreme urgency in order to ensure the revision of the urban policies and the urban development model of the country immediately. Therefore, the Law was approved yesterday and will enter into force in a few days.

The processing of this bill was announced by the head of government during the session of the Political Orientation Debate on the same day, September 12th, and, according to the statement of reasons, it arises from the need to «promote the necessary measures to ensure the sustainable growth of urban planning activity» in the Principality. In this sense, the measures introduced involve an urban planning moratorium, both with regard to the processing of derivative planning and with regard to the granting of licenses for new work.

Beyond the legal considerations of the approved rule, and despite incorporating an exception for the construction of multi-family homes for rent, single-family homes,

and other particular cases, from a practical point of view, the measures could come to mean a reduction in the supply of newly built housing, both for rent and for purchase. This fact can have a significant impact on the price.

As we have already said, the rule aims to carry out a global review of the urban policies and the urban development model of the country, through a scheme where the municipalities are obliged to prepare a new study of the maximum load capacity of each parish in the term of one year. We remember that this study, whatever the name given, should have already been carried out for the preparation and review of the current Parish Urban Planning Plans.

In addition, at this time, we cannot visualize what criteria will be followed for the preparation of these studies, since the new fourth additional provision of the Urban Planning Law foresees the obligation of the Government to update the guidelines of arrangement, by virtue of which the criteria to prepare these studies will be established and developed. Therefore, we are in a moment of uncertainty in the establishment of these criteria which makes difficult to make decisions.



In relation to the 'criteria' that seek to ensure the sustainability and infrastructures necessary for urban development, we remember that they have already been provided for in previous regulations, such as the Sectoral Plan for Energy Infrastructures, the Sectoral Plan for New Road Infrastructures, Sectoral Plan for general roads or rules for the conservation of the natural environment, biodiversity and the landscape, among others. Remember that these rules already provide for the implementation of specific infrastructures, with specific deadlines, therefore the rules prior to this Law already define the Andorran territorial model in a very precise way.

In addition, it seems that the approved Law, based on criteria not yet defined, could force the municipi-

palities to review their POUPs, thus reducing their margin of autonomy and therefore their capacity act and plan their territory. The town planning powers of the municipalities seem to be shrinking.

With regard to the immediate effects of the entry into force of this Law, it foresees a new prior procedural requirement, such as the obtaining of a favorable report issued by the competent ministries in urban planning and the environment which, in addition, will apply some restrictive assumptions for the issuance of this, which will make it difficult to process urban planning actions. The aforementioned report could have the scope of intervention that it currently has or go to extremes that make the granting of a license no longer considered a regulated act. We will wait to analyze the development rules of the Law approved yesterday to assess it.

In this sense, the law expressly provide for the suspension of the approval of new partial plans, of urbanization projects and the granting of building licenses for new plant works and facilities from entry into force of the Bill and until the entry into force of the modification of the planning guidelines which, as we have already said, the Government should approve within a maximum period of one month.

This forecast, together with other extremes of the rule, currently place real estate agents in a situa-

tion of uncertainty that is not favorable for the market, since it is clear that to improve access to housing, both purchase like renting, the real estate market needs stability, more supply and legal security. And in no case in Andorra we are in a moment with an excess of real supply. You only need to examine the promotions of new construction on real estate portals such as Idealista or Fotocasa.

In this sense, it is clear that in Andorra there is a problem of a deficit in the supply of affordable housing, let's remember that the housing stock in Andorra with some type of public protection is far from the 7% average of the European Union and even 2.5% of our neighbors to the south. But to improve the supply of housing that enjoys public protection, there are formulas in the Andorran legal system to enhance public-private collaboration and alleviate the lack of this type of housing.

We will see in the coming months how the measures approved yesterday take shape. If new real estate developments appear under the built to rent scheme, or if we see a stoppage of real estate development with a total exhaustion of the available residential offer as a result of the approved measures. This last scenario, if demand remains at the same current levels, would generate a direct effect on the increase in house prices both for purchase and for rent. ≡